

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken constitute "Depot Avenue" and are shown as "Parcel A" and "Parcel B" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated September 25, 2013, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

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IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this day of , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

William H. Dwight
AT-LARGE COUNCILOR

Jesse M. Adams
AT-LARGE COUNCILOR

Maureen T. Carney
WARD 1 COUNCILOR

Paul D. Spector
WARD 2 COUNCILOR

Ryan R. O'Donnell
WARD 3 COUNCILOR

Gina-Louise Sciarra
WARD 4 COUNCILOR

David A. Murphy
WARD 5 COUNCILOR

Marianne L. LaBarge
WARD 6 COUNCILOR

Alisa Klein
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on 2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this day of , 2014.

Pamela L. Powers
Clerk to City Council
City of Northampton, Massachusetts

EXHIBIT A

Parcel A

Beginning at a point marked by an iron pipe found, said point marks the northwesterly corner of a parcel, now or formerly Gerard D. LaFrance and Sandra K. LaFrance as described in a deed recorded in Book 2585 Page 161, said point being the southwest corner of a parcel, now or formerly Charles L. Pitrat, as described in a deed recorded in Book 6130 Page 349, said point being located on the easterly side line of North Maple Street, said point being the southwest corner of the parcel herein described.

Thence running N 01°40'04" E along the westerly side line of said North Maple Street, a distance of 35.00 feet to a point, said point being the northwesterly corner of the parcel herein described, thence;

S 89°12'36" E through land of said Pitrat, a distance of 81.71 feet to a point, thence;

Through land of said Pitrat on a curve to the left, with an arc length of 73.08' and a radius of 1480.19', said curve has a chord bearing of S 53°45'45" E and a chord length of 73.07' to a point, said point being located on the westerly line of a parcel now or formerly Florence Family Enterprises LLC as described in a deed recorded in Book 6793 Page 133, said point being the northeasterly corner of the parcel herein described, thence;

S 31°41'00" W along the southerly line of said Florence Family Enterprises LLC, a distance of 35.05 feet to a point, said point being on the westerly line of LaFrance, said point being marked by an iron rod found, said point being the southeasterly corner of the parcel herein described, thence;

Along the easterly line of land of said LaFrance on a curve to the right, with an arc length of 65.00' and a radius of 1515.19', said curve has a chord bearing of N 54°01'13" W and a chord length of 65.00 to a point, said point being marked by an iron rod found, said point being on the southerly line of the parcel herein described, thence;

N 89°12'36" W along the northerly line of said LaFrance, a distance of 70.66 feet to the point of beginning.

The above described parcel contains 5,083 square feet more or less, being depicted as Parcel A, Depot Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 09-25-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83
All Book and Page numbers recited are referenced to the Hampshire Registry District

Parcel B

Beginning at a point, said point marks the westerly line of a parcel, now or formerly Florence Family Enterprises LLC as described in a deed recorded in Book 6793 Page 133, said point marks the easterly line of a parcel, now or formerly Charles L. Pitrat, as described in a deed recorded in Book 6130 Page 349, said point being the northwesterly corner of the parcel herein described,

Thence through said land of said Florence Family Enterprises LLC on a curve to the left, with an arc length of 43.94' and a radius of 1480.19, said curve has a chord bearing of S 56°01'37" E and a chord length of 43.94' to a point, said point being on the northerly line of the parcel herein described, thence;

S 69°28'44" E through land of said Florence Family Enterprises LLC, a distance of 211.06 feet to a point, said point being located on Keyes Street, said point being the northeasterly corner of the parcel herein described, thence;

S 03°26'54" W along the westerly line of said Keyes Street, a distance of 36.61 feet to a point, said point being the southeasterly corner of the parcel herein described, thence;

N 69°28'44" W through land of said Florence Family Enterprises LLC, a distance of 225.65 feet to a point, said point marks the northeasterly corner of a parcel, now or formerly Roger P. and Julianne M. Clark, as described in a deed recorded in Book 7406 Page 294, said point being the southerly line of the parcel herein described, thence;

Thence along said land of said Clark and land of said Gerard D. and Sandra K. LaFrance, as described in a deed recorded in Book 2585 Page 161, on a curve to the right, with an arc length of 46.94' and a radius of 1515.19', said curve has a chord bearing of N 56°08'13" W and a chord length of 46.94' to a point, said point being marked by an iron rod, said point being the southeasterly corner of said Pitrat, said point being the southwest corner of the parcel herein described, thence;

N 31°41'00" E along the easterly line of said Pitrat, a distance of 35.05 feet to the point of beginning.

The above described parcel contains 9,233 square feet more or less, being depicted as Parcel B, Depot Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 09-25-2013. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83
All Book and Page numbers recited are referenced to the Hampshire Registry District

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 6130, Page 349, Book 6793, Page 133, Book 1854, Page 21, Book 5898, Page 308, Book 7406, Page 294, Book 2585, Page 161.



CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060-2066

413-587-1570
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Edward S. Huntley, P.E.
Director

**REPORT AND RECOMMENDATION OF THE
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On March 21, 2013 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Depot Avenue**.

The Board of Public Works held a public hearing on April 27, 2013 and at its regular meeting on May 8, 2013 voted unanimously to recommend the acceptance of Depot Avenue as a public way.

Respectfully submitted

The Board of Public Works of the City of Northampton

A handwritten signature in black ink, appearing to read "Edward S. Huntley".

Edward S. Huntley, P.E.
Director of Public Works
August 13, 2014

cc: Northampton Board of Public Works
Northampton Planning Board